



The Honorable Elaine Duke
Acting Secretary
Department of Homeland Security
Washington, D.C. 20528

The Honorable Rex Tillerson
Secretary
United States Department of State
Washington, D.C. 20520

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November 14, 2017

Dear Acting Secretary Duke and Secretary Tillerson:

We write to you today, on behalf of New York City's children, to urge you to extend the Temporary Protected Status (TPS) designations for Honduras, El Salvador and Haiti before they expire in 2018. The New York City Children's Cabinet is a multi-agency initiative, comprised of commissioners and directors from two dozen City agencies and Mayoral offices, created by Mayor Bill de Blasio to bolster improvements to child safety and well-being. Our approach is holistic, promoting a system of resources and linkages to help the City's neediest neighborhoods.

We are gravely concerned about the possible termination of TPS for Honduras, El Salvador, and Haiti, which would risk tearing apart many families and endangering thousands of U.S. citizen children, to the detriment of the safety and well-being of New Yorkers.

Exposing New Yorkers with TPS to deportation to countries that cannot guarantee their safety threatens the strength and resilience of our communities. These TPS recipients are part of the fabric of New York City; in most instances, they have lived in this country for nearly a generation. We note the clear fact that New York City itself benefits greatly from TPS holders' economic contributions. TPS holders contribute an estimated \$1.5 billion to the New York State Gross Domestic Product annually.

But today we appeal to you particularly on behalf of the thousands of U.S. citizen children whose lives would be incalculably damaged if their parents' TPS status were terminated.

An estimated 37,000 New Yorkers live in households that include a TPS recipient from El Salvador, Honduras, or Haiti. The notably high employment rate of TPS recipients means that thousands of New Yorkers rely on TPS for household income.

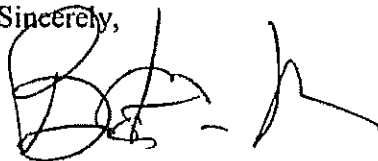
An estimated 8,000 New Yorkers are the U.S. citizen children (i.e., under 18 years old) of TPS recipients from El Salvador, Honduras, or Haiti. They are students in our schools, enrollees in our City

programs, fellow religious observers in our congregations, and the future of New York City. Our robust programming for children successfully connects all corners of our proud city. But there is no local policy or service that could ever address what will suddenly befall these thousands of U.S. citizen children should the federal government cast their parents and guardians out of lawful status. Make no mistake: no one would suffer more than children from any termination to these TPS designations. As their parents lost work authorization, these children would internalize the struggle, fear, and instability that would pervade their homes. These children might never see their parents again if they were deported back to countries that could not safely absorb them.

And it is abundantly clear that these TPS-designated countries cannot support the safe return of our New Yorkers. Since receiving TPS status after the devastation of Hurricane Mitch, Honduras has not recovered, facing natural disasters which compound one another, exacerbating public health crises, economic decline, and public safety concerns. Neither has Haiti recovered from the magnitude-7.0 earthquake, which destroyed the country's infrastructure, and displaced more than a million people; Haiti continues to endure mass displacement of its people and extreme food insecurity brought on by several years of drought. And El Salvador has similarly been beset by natural catastrophes since it was designated for TPS in 2001 due to instability following an earthquake. Successive disasters include tropical storms within the past five years, followed by drought conditions more recently. In addition, El Salvador has long struggled to contain its homicide rate and protect its rule of law, a problem undoubtedly exacerbated by these natural disasters.

We ask that you take into account the potential impact on our residents and communities as you decide whether or not to extend TPS for Honduras, Haiti, and El Salvador. Forcing hundreds of thousands of TPS-recipients out of the legal system, with no legal option but to return to countries that are still recovering from compounding catastrophes, would expose these valued residents of our City to malnutrition, illness, extreme poverty, and physical danger. It would surely hurt our local economy. But what we see most clearly from our work on behalf of New York City's children is that terminating TPS for these countries would destroy families, and endanger thousands of children, including U.S. citizen children. We hope that you do not see fit to inflict this kind of damage upon New York City, and particularly New York City's children.

Sincerely,

A handwritten signature in black ink, appearing to read 'Benita Miller', with a stylized flourish at the end.

Benita Miller
Executive Director
New York City Children's Cabinet

The NYC Children's Cabinet is a multi-agency initiative created by Mayor Bill de Blasio to bolster communication and coordination among city agencies and provides a space to identify and analyze individual and common areas of work that impact child safety and well-being. The Cabinet is chaired by Deputy Mayor for Strategic Policy Initiatives Richard Buery, and is comprised of commissioners and directors from two dozen City agencies and Mayoral offices: Office of the First Lady; Administration for Children's Services; Center for Economic Opportunity; Center for Innovation through Data Intelligence; Department of Correction; Department of Cultural Affairs; Department of Education; Department of Health & Mental Hygiene; Department of Parks & Recreation Department; Department of Probation; Department of Youth & Community Development; Fire Department of New York; NYC Health + Hospitals; Human Resources Administration/Department of Social Services; Law Department; Mayor's Fund to Advance the City of New York; Mayor's Office of Criminal Justice; Mayor's Office of Immigrant Affairs; Mayor's Office of Operations; Mayor's Office to Combat Domestic Violence; New York City Housing Authority; NYC Service; and the Police Department.



**U.S. Citizenship
and Immigration
Services**

February 14, 2018

Ms. Benita Miller
Administration for Children Services
1274 Bedford Avenue
Brooklyn, New York 11216

Dear Ms. Miller:

Thank you for your November 14, 2017 letter to the Department of Homeland Security (DHS). Secretary Nielsen asked that I respond on her behalf.

I appreciate your interest in the Temporary Protected Status (TPS) designations for Haiti, El Salvador, and Honduras. The Secretary of Homeland Security's authority to designate or redesignate a country for TPS and to extend or terminate a country's existing designation is based upon specific statutory criteria. *See* Immigration and Nationality Act (INA) § 244(b). U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the program.

At least 60 days before the current expiration date for a TPS designation, the Secretary must review conditions in the foreign country and, after consultation with other appropriate federal agencies, determine whether the statutory conditions for TPS continue to be met. Under the INA, if the Secretary determines that the conditions for designation are no longer met with respect to a country, the Secretary is required to terminate the designation. *See* INA § 244(b)(1),(3).

After considering information from several U.S. Government sources, on November 20, 2017, former Acting Secretary Duke announced the termination of Haiti's TPS designation after determining that the statutory conditions for its designation no longer continued to be met. To allow for an orderly transition, the former Acting Secretary delayed the effective date by 18 months. Accordingly, Haiti's TPS designation will terminate on July 22, 2019. The 18-month period will provide time for individuals with TPS to arrange for their departure or to seek an alternative lawful immigration status in the United States. Additional information on the termination of Haiti TPS can be found on the USCIS website and in a notice that was published in the *Federal Register* on January 18, 2018.

Secretary Nielsen decided to terminate the TPS designation for El Salvador after considering information from several U.S. Government sources, with a delay of 18 months to allow for an orderly transition before the designation terminates on September 9, 2019. DHS is committed to an orderly transition that will allow time for El Salvador to prepare for the return and reintegration of its citizens.

USCIS will work with the State Department and the government of El Salvador to help inform relevant stakeholders in-country and in the United States to ensure an orderly return and reintegration of El Salvador's citizens. Additional details on the Secretary's decision and the process for current El Salvador TPS beneficiaries to renew their work authorization documentation until TPS terminates on September 9, 2019, can be found in the notice that was published in the *Federal Register* on January 18, 2018.

In regards to Honduras, former Acting Secretary Duke did not make a determination by the 60-day deadline for Honduras (November 6, 2017), resulting in an automatic six-month extension of the designation. Details regarding this extension and the process for Honduran TPS beneficiaries to re-register can be found on the USCIS website and in the *Federal Register* notice published on December 15, 2017.

Thank you again for your letter and interest in these important issues. Should you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "L. Francis Cissna". The signature is stylized with a large "L" and a long horizontal stroke.

L. Francis Cissna
Director